

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

**EXALDO TOPACIO, on behalf of himself
and all others similarly situated,**

Plaintiff,

-against-

**VERIZON COMMUNICATIONS INC., a
corporation, and VERIZON NETWORK
INTEGRATION CORP., a corporation,**

Defendants.

No. 07-CIV-8342 (CM)

**NOTICE OF MOTION AND
MOTION FOR ADMISSION TO
PRACTICE PRO HAC VICE**

PURSUANT TO RULE 1.3(c) of the Local Rules of the United States District
Courts for the Southern and Eastern Districts of New York, I, Joseph J. Bernasky, a member in
good standing of the Bar of this Court, hereby move this Court, before the Honorable Colleen
McMahon, United States District Court Judge, for an Order allowing the admissions pro hac vice
of

STANLEY WEINER
Jones Day
901 Lakeside Avenue
Cleveland, Ohio 44114
Phone: 216-586-3939
Fax: 216-579-0212
E-mail: sweiner@jonesday.com

and

KATHLEEN L. MCACHRAN
Jones Day
222 East 41st Street
New York, NY 10017
Phone: 212-326-3939
Fax: 212-755-7306
E-mail: kmcachran@jonesday.com

JAN 24 2008

90950-639688

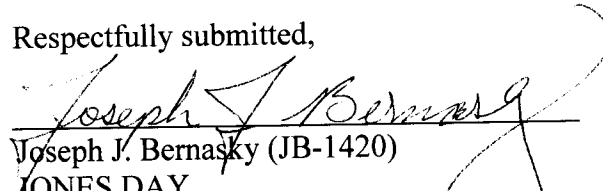
to appear and practice before this Court as attorneys on behalf of defendants Verizon Communications Inc. and Verizon Network Integration Corp. in the above captioned matter.

STANLEY WEINER is a member in good standing of the Bar of the States of Texas and Wisconsin. There are no pending disciplinary proceedings against STANLEY WEINER in any State or Federal Court.

KATHLEEN L. MCACHRAN is a member in good standing of the Bar of the State of California and of the District of Columbia. There are no pending disciplinary proceedings against KATHLEEN L. MCACHRAN in any State or Federal Court.

Dated: New York, New York
January 24, 2008

Respectfully submitted,



Joseph J. Bernasky (JB-1420)
JONES DAY
222 East 41st Street
New York, NY 10017
(212) 326-3939

*Attorneys for Defendants
Verizon Communications Inc. and Verizon
Network Integration Corp.*

NYI-4034622v2

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

**EXALDO TOPACIO, on behalf of himself
and all others similarly situated,**

Plaintiff,

-against-

**VERIZON COMMUNICATIONS INC., a
corporation, and VERIZON NETWORK
INTEGRATION CORP., a corporation,**

Defendants.

No. 07-CIV-8342 (CM)

**AFFIDAVIT OF
JOSEPH J. BERNASKY
IN SUPPORT OF
MOTION FOR ADMISSION
PRO HAC VICE**

JOSEPH J. BERNASKY, being duly sworn, deposes and says:

1. I am a member in good standing of the Bar of this Court and an associate of Jones Day, counsel to defendants Verizon Communications Inc. and Verizon Network Integration Corp. in the above captioned matter. I submit this affidavit in support of Defendants' application for an order granting Stanley Weiner and Kathleen L. McAchran admission pro hac vice to appear and practice before this Court as counsel for Defendants in the above-captioned matter pursuant to Rule 1.3(c) of the Local Rules for the United States District Courts for the Southern and Eastern Districts of New York.

2. Stanley Weiner is a Partner at Jones Day and is of high moral character. He was admitted to practice before the courts of the State of Texas on August 22, 1986 and the courts of the State of Wisconsin on May 21, 1979. He has been and is a member in good standing of the aforementioned bars. His Certificates of Good Standing from the Clerk of the Supreme Court of Texas and the Clerk of the Supreme Court of Wisconsin are annexed hereto as Exhibits A and B, respectively.

3. Kathleen L. McAchran is Of Counsel at Jones Day and is of high moral character. She was admitted to practice before the courts of the State of California on December 4, 1990 and the courts of the District of Columbia on July 9, 1993. She has been and is a member in good standing of the aforementioned bars. Her Certificates of Good Standing from the Clerk of the Supreme Court of California and the Clerk of the Court of Appeals for the District of Columbia are annexed hereto as Exhibits C and D, respectively.

4. Pursuant to Rule 1.3(c) of the Local Rules for the United States District Courts for the Southern and Eastern Districts of New York, I move the admission of Stanley Weiner and Kathleen L. McAchran, pro hac vice, to appear and practice before this Court as counsel for Defendants in the above-captioned matter.

5. Because no novel issue of law is involved in this motion, I further request that this Court waive the requirement of a supporting memorandum of law pursuant to Rule 7.1 of the Local Rules for the United States District Courts for the Southern and Eastern Districts of New York.

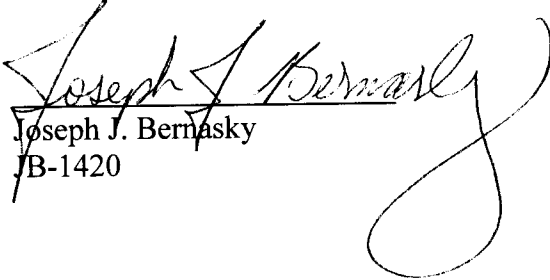
6. Attached as Exhibit E is a proposed order granting the admission of Stanley Weiner and Kathleen L. McAchran, pro hac vice.

7. There has been no prior application for the relief requested herein.

WHEREFORE, it is respectfully requested that this Court grant the motion to admit Stanley Weiner and Kathleen L. McAchran, pro hac vice, to the bar of this Court to represent Defendants in the above captioned matter.

Dated: January 24, 2008
New York, New York

Respectfully submitted,


Joseph J. Bernasky
JB-1420

Notarized:

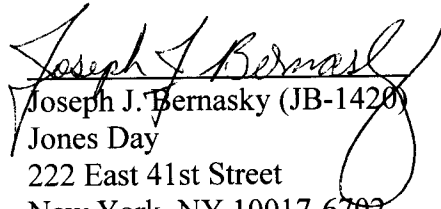
MARJORIE F. SHAPIRO
NOTARY PUBLIC, State of New York
No. 01-4739182
Qualified in Nassau County
Cert. Filed in New York County
Commission Expires Feb. 28, 2010



CERTIFICATE OF SERVICE

I hereby certify that on January 24, 2008, the foregoing document was filed with the Clerk of the Court and served in accordance with the Federal Rules of Civil Procedure, and/or the Southern District's Local Rules, and/or the Southern District's Rules on Electronic Service upon the following parties:

Adam T. Klein
Justin M. Swartz
Carmelyn P. Malalis
OUTTEN & GOLDEN LLP
3 Park Avenue, 29th Floor
New York, New York 10016
Telephone: 212-245-1000
Attorneys for Plaintiff
Exaldo Topacio


Joseph J. Bernasky (JB-1420)
Jones Day
222 East 41st Street
New York, NY 10017-6702
jjbernasky@jonesday.com
(212) 326-3939

NYI-4034645v2

EXHIBIT A

The Supreme Court of Texas

AUSTIN

CLERK'S OFFICE

I, **BLAKE HAWTHORNE**, Clerk of the Supreme Court of Texas, certify that the records of this office show that

Stanley Weiner

was duly admitted and licensed as an attorney and counselor at law by the Supreme Court of Texas on the 22nd day of August, 1986.

I further certify that the records of this office show that, as of this date

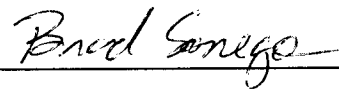
Stanley Weiner

is presently enrolled with the State Bar of Texas as an active member in good standing.

IN TESTIMONY WHEREOF witness my hand

and the seal of the Supreme Court of
Texas at the City of Austin, this, the
4th day of January, 2008.

BLAKE HAWTHORNE, Clerk

by 
Brad Sonogo, Deputy Clerk

No. 6279

EXHIBIT B



David R. Schanker
Clerk

WISCONSIN SUPREME COURT

OFFICE OF THE CLERK

110 E. Main Street, Suite 215
P.O. Box 1688
Madison, WI 53701-1688

Telephone: 608-266-1880
TTY: 800-947-3529
Fax: 608-267-0640
<http://www.wicourts.gov>

CERTIFICATE OF GOOD STANDING

I, David R. Schanker, Clerk of the Supreme Court of Wisconsin certify that the records of this office show that:

STANLEY WEINER

was admitted to practice as an attorney within this state on May 21, 1979 and is presently in good standing in this court.

Dated: January 4, 2008

A handwritten signature in black ink, appearing to read "DRS", is written over a horizontal line.

DAVID R. SCHANKER
Clerk of Supreme Court

EXHIBIT C



THE STATE BAR OF CALIFORNIA

MEMBER SERVICES CENTER

180 HOWARD STREET, SAN FRANCISCO, CALIFORNIA 94105-1639

TELEPHONE: 888-800-3400

January 15, 2008

TO WHOM IT MAY CONCERN:

This is to certify that according to the records of the State Bar, KATHLEEN LOUISE MCACHRAN, #150848 was admitted to the practice of law in this state by the Supreme Court of California on December 4, 1990; that from the date of admission to September 16, 2004, she was an ACTIVE member of the State Bar of California; that on September 16, 2004, she was suspended from the practice of law in California by order of the Supreme Court for nonpayment of State Bar membership fees; that said suspension remained in effect to October 29, 2004 upon which last mentioned date she was reinstated by the Supreme Court upon payment of all delinquent State Bar fees and penalties; and has been since that date, and is at date hereof, an ACTIVE member of the State Bar of California; and that no recommendation for discipline for professional or other misconduct has ever been made by the Board of Governors or a Disciplinary Board to the Supreme Court of the State of California.

THE STATE BAR OF CALIFORNIA

A handwritten signature in black ink, appearing to read "Kath Lambert", is written over a horizontal line.

Kath Lambert
Custodian of Membership Records

EXHIBIT D



District of Columbia Court of Appeals
Committee on Admissions
500 Indiana Avenue, N.W. — Room 4200
Washington, D. C. 20001
202 / 879-2710

I, GARLAND PINKSTON, JR., Clerk of the District of Columbia Court of Appeals, do hereby certify that

Kathleen L. McAchran

was on the 9th day of July, 1993

duly qualified and admitted as an attorney and counselor. This attorney is, on the date indicated below, voluntarily registered as an inactive member in good standing of the District of Columbia Bar and, therefore, is not currently eligible to practice law in the District of Columbia.

In Testimony Whereof, I have hereunto subscribed my name and affixed the seal of this Court at the City of Washington, D.C., on January 11, 2008.

GARLAND PINKSTON, JR., CLERK

By: *[Signature]*
Deputy Clerk

EXHIBIT E

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

**EXALDO TOPACIO, on behalf of himself
and all others similarly situated,**

Plaintiff,

-against-

**VERIZON COMMUNICATIONS INC., a
corporation, and VERIZON NETWORK
INTEGRATION CORP., a corporation,**

Defendants.

No. 07-CIV-8342 (CM)

**[PROPOSED] ORDER GRANTING
ADMISSION TO PRACTICE
PRO HAC VICE**

UPON THE MOTION of Joseph J. Bernasky, associate of Jones Day, counsel to
defendants Verizon Communications Inc. and Verizon Network Integration Corp., pursuant to
Rule 1.3(c) of the Local Rules for the United States District Courts for the Southern and Eastern
Districts of New York, and said sponsor attorney's affidavit in support;

IT IS HEREBY ORDERED that

STANLEY WEINER
Jones Day
901 Lakeside Avenue
Cleveland, Ohio 44114
Phone: 216-586-3939
Fax: 216-579-0212
E-mail: sweiner@jonesday.com

and

KATHLEEN L. MCACHRAN
Jones Day
222 East 41st Street
New York, NY 10017
Phone: 212-326-3939
Fax: 212-755-7306
E-mail: kmcachran@jonesday.com

are admitted to appear and practice pro hac vice before this Court as counsel for defendants Verizon Communications Inc. and Verizon Network Integration Corp. in the above captioned matter. All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys. If this action is assigned to the Electronic Case Filing (ECF) system, counsel shall immediately apply for an ECF password at nysd.uscourts.gov. Each attorney admitted to practice pro hac vice is required to pay a \$25.00 attorney admission fee to the Clerk of Court.

This Order confirms the appearance of Stanley Weiner and Kathleen L. McAchran as counsel for Defendants in the above captioned matter, and it will be entered on the Court's docket. A notation of the admission pro hac vice for the above captioned matter will be made on the roll of attorneys.

The attorneys admitted pro hac vice must serve a copy of this Order on all other counsel in this case.

Dated: New York, New York
_____, 2008

Hon. Colleen McMahon
United States District Judge

NYI-4034634v2